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असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

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NEW DELHI, SATURDAY, APRIL 17, 1976/CHAITRA 28, 1898

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 17th April, 1976/Chaitra 28, 1898 (Saka)

The following President's Act is published for general information:—

THE MADRAS CITY MUNICIPAL CORPORATION (AMENDMENT) ACT, 1976

No. 13 OF 1976

Enacted by the President in the Twenty-seventh Year of the Republic of India.

An Act further to amend the Madras City Municipal Corporation Act, 1919.

41 of 1976. In exercise of the powers conferred by section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976, the President is pleased to enact as follows:—

1. (1) This Act may be called the Madras City Municipal Corporation (Amendment) Act, 1976.

Short title and commencement.

(2) It shall be deemed to have come into force on the 29th day of November, 1975.

Tamil Nadu Act IV of 1919.

2. In section 55-B of the Madras City Municipal Corporation Act, 1919 (hereinafter referred to as the principal Act), in sub-section (1), for the words "within a period of one year", the words "within a period of two years" shall be substituted.

Amendment of section 55-B.

Repeal
and
saving.

3. (1) The Madras City Municipal Corporation (Amendment) Ordinance, 1976, is hereby repealed.

Tamil
Nadu
Ordinance
5 of 1976.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

Reasons for the enactment

Under sub-section (1) of section 55-B of the Madras City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) the period within which the Special Officer of the Municipal Corporation of Madras should make arrangements for the holding of elections to the Council of the Corporation was extended up to the 30th November, 1975. The proposals for the delimitation of the Madras City into 150 territorial divisions have not yet been finalised as the question of including within the Madras City limits certain areas where the Tamil Nadu Housing Board has extended its activities is under the active consideration of the Tamil Nadu Government. Further there is a ban on effecting changes in the jurisdiction of local bodies in order to facilitate correct and accurate preparation of the Madras Legislative Assembly Rolls. As the arrangements for the conduct of elections could be made only after the delimitation was over, it became necessary to extend the period for making arrangements for the conduct of elections to the Municipal Corporation of Madras for a further period of one year from the 30th November, 1975, by promulgating an Ordinance for the purpose.

2. The President issued a Proclamation on the 31st January, 1976 under article 356 of the Constitution, in relation to the State of Tamil Nadu, declaring *inter alia* that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament. The Ordinance referred to above could not be replaced by an Act of Parliament for want of time. Hence, by virtue of the powers delegated to the Governor of Tamil Nadu by the President, the Madras City Municipal Corporation (Amendment) Ordinance, 1976 (Tamil Nadu Ordinance 5 of 1976) was promulgated.

3. The proposed measure seeks to replace the said Ordinance.

4. Parliament has, under article 357(1) (a) of the Constitution, now conferred on the President, the powers of the Legislature of the State to make laws *vide* the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 (41 of 1976).

5. In view of the urgency of the matter, it is not practicable to consult the Consultative Committee on Tamil Nadu Legislation constituted under the above Act. The measure is accordingly being enacted without reference to the Consultative Committee.

N. J. KAMATH,
Secy. to the Govt. of India,
Ministry of Works and Housing.

